

Serial No. 10/522,089
Art Unit 2621

PD020071
Customer No. 24498

Remarks

Claims 1 and 4-11 currently remain pending in the above-identified application. Applicants have amended claim 1 to include the features previously recited in claim 2. Applicants have also amended claim 4 to correct the spelling of the word "signaled". Claims 2 and 3 have been cancelled.

Claim Objection

The examiner has objected to claim 4 because of the presence of the word "signaled" which should be *signaled*. Applicants have amended claim 4 to overcome the objection.

35 U.S.C. 112 Rejection of Claims 1-11

Claims 1-11 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite. In particular, the examiner contends that the phrases "coded data," "the file or stream," and "the main AV bit stream" lack antecedent basis. Applicants have amended claim 1 to provide proper antecedent basis for the recited phrases and to substitute the phrase "Audio Visual" for the first instance of the abbreviation "AV." As amended claim 1, and claims 2-11 that depend therefrom, now fully comply with 35 U.S.C. 112.

35 U.S.C. 102(a) Rejection of Claims 1-5 and 7

Claims 1-5 and 7 stand rejected under 35 U.S.C. 102(a) as anticipated in view of the publication "Coding of Parameter Sets" by Miska M. Hannuksela et al, *Joint Video team (JVT) of ISO/IEC MPEG & ITU-T VCEG*, 3d Meeting, Fairfax, Virginia, May 6-10, 2002, pages 1-14 (hereinafter, the Hannuksela et al. paper). Applicants respectfully traverse this rejection.

Amended claim 1 now includes the recitation that the existing auxiliary data files containing the main AV bit stream are extended to carry the compression parameter sets. This feature is not taught or suggested in

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the Hannuksela et al. paper notwithstanding the examiner's contentions to the contrary. Indeed, the Hannuksela et al. paper suggests the desirability of pre-defining the compression parameter sets for pre-storage at the encoder and decoder to avoid the transmission of compression parameter sets. Moreover, to the extent that the Hannuksela et al. paper does discuss the transmission of compression of parameter sets, the compression parameter sets are transmitted in the slice header (See Hannuksela et al. Summary on Page 1). Thus, the Hannuksela et al. paper does not disclose or suggest extending existing auxiliary files to carry the compression parameter sets. If anything, the Hannuksela et al. paper would teach away from applicants' claimed invention. Therefore, claim 1, and claims 2-5 and 7, which depend therefrom, patentably distinguish over the art of record.

35 U.S.C. 103(a) Rejection of Claims 9-11

Claims 9-11 stand rejected under 35 U.S.C. 103(a) as obvious over the Hannuksela et al. paper, discussed above in connection with the 35 U.S.C. 102(a) rejection of claims 1-5 and 7, in view of U.S. Patent 5,926,208 to Noonan et al. Applicants respectfully traverse the rejection.

Claims 9-11 recite a video coding apparatus which employs the method of claim 1. In other words, claims 9-11 recite a video coding apparatus that extends existing auxiliary data files containing the main AV bit stream to carry compression parameter sets. As discussed above the Hannuksela et al. paper does not teach or suggest extending existing auxiliary data files containing the main AV bit stream to carry the compression parameter sets. Likewise, the Noonan et al. patent, which concerns a video conferencing system, does not contain any teaching or suggestion of extending existing auxiliary data files containing the main AV bit stream to carry the compression parameter sets. Therefore, the combination of the Hannuksela et al. paper and the Noonan et al. patent would not render claims 9-11 obvious. Accordingly, applicants respectfully request withdrawal of the 35 U.S.C. 103(a) rejection of claims 9-11.

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Allowability of Claim 8

Applicants appreciate the examiner's willingness to allow claim 8 if re-written in independent form with all of the features of its base and intervening claims. However, as discussed above, applicants maintain that claim 1, from which claim 8 depends, patentably distinguishes over the art of record, thus obviating the need to re-write claim 8. Nonetheless, applicants reserve the right to re-write claim 8 at a later date.

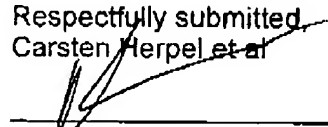
Conclusion

In view of the foregoing, applicants solicit entry of this amendment and allowance of the claims. If the Examiner cannot take such action, the Examiner should contact the applicant's attorney at (609) 734-6820 to arrange a mutually convenient date and time for a telephonic interview.

No fees are believed due with regard to this Amendment. Please charge and fee or credit any overpayment to Deposit Account No. 07-0832.

Respectfully submitted,
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9 February 2009